1 John White, Esq., SB #1741 E-filed: August 4, 2011 WHITE LAW CHARTERED 2 335 West First Street 3 Reno, NV 89503 775-322-8000 4 775-322-1228 (Fax) john@whitelawchartered.com 5 Attorney for the Debtor, Double U Livestock, LLC 6 UNITED STATES BANKRUPTCY COURT 7 DISTRICT OF NEVADA 8 In re: CASE NO.: BK-N-11-52345 9 Chapter 12 DOUBLE U LIVESTOCK, LLC. 10 MOTION TO EXTEND DEADLINE TO 11 FILE SCHEDULES, DECLARATION CONCERNING DEBTOR'S SCHEDULES 12 AND STATEMENT OF FINANCIAL **AFFAIRS** 13 14 Hearing Date: Pending Hearing time: Pending 15 Debtor. Duration: 10 minutes 16 COMES NOW, Debtor, Double U Livestock, LLC, by and through its counsel, White 17 Law Chartered, who hereby requests an order extending the time in which Debtor may file 18 Schedules A-H, the Declaration Concerning Schedules, and the Statement of Financial Affairs 19 20 (herein collectively "Schedules.") This Motion is brought pursuant to 11 U.S.C. 108 of the 21 United States Bankruptcy Code, the Fed. R. Bankr.P. 1007 (5) and LR 1007. This Motion is 22 based upon the Declaration of John White, Esq., filed separately herewith, the following points 23 and authorities and all pleadings and papers on file herein. 24 **POINTS AND AUTHORITIES** 25 The Schedules, to be timely filed, are due today, August 4, 2011. This is Debtor's 26 first request for an extension of time to file Schedules. The reason more time is needed are as

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follows:

The remoteness of the Debtor's managing member's designated representative (James A. West) location in Ely, NV and the difficulty in communication has resulted in delay. See affidavit of John White, filed separately herewith.

Pursuant to the Fed. R.Bankr.P. 1007 (5):

"(5) Extension of time.

Any extension of time for the filing of the lists required by this subdivision may be granted only on motion for cause shown and on notice to the <u>United States trustee</u> and to any trustee, committee elected under § 705 or appointed under § 1102 of the <u>Code</u>, or other party as the court may direct."

Further, LR 1007 (d) provides:

"(d) Extension of Time. Any motion to extend the time to file lists, schedules and statements must be filed within the time period provided by Fed.R.Bankr.P. 1007. The motion will be set on a hearing of not less than 14 days' notice."

The undersigned has advised Nelson Enmark, the standing Chapter 12 trustee assigned to this Case of the need for this motion, but has received no response, Mr. Nelson apparently being out of the office this week. This Motion is being filed in good faith and is not meant to cause undue and unnecessary delay, nor will it prejudice the interests of the creditors.

Wherefore, Debtor requests that an Order be entered approving the Motion and for the Debtor to file its Schedules no later than August 28, 2011 or at such period as this Court may deem appropriate.

A copy of the proposed Order approving this Motion is hereto attached Dated this 4th day of August, 2011.

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1 2 3 5 6 John White, Esq., SB #1741 7 335 West First Street Reno, NV 89503 8 775-322-8000 9 775-3221228 (fax) john@whitelawchartered.com 10 Attorney for Double U Livestock, LLC. 11 UNITED STATES BANKRUPTCY COURT 12 DISTRICT OF NEVADA 13 In re: CASE NO. BK-N-11-52345-btb 14 DOUBLE U LIVESTOCK, LLC., Chapter 12 15 ORDER APPROVING MOTION 16 TO EXTEND DEADLINE TO FILE SCHEDULES, DECLARATION 17 CONCERNING DEBTOR'S SCHEDULES AND STATEMENT OF FINANCIAL Debtors-in-possession 18 **AFFAIRS** 19 20 Upon consideration of the Debtor's Motion To Extend Deadline To File Schedules, 21 Declaration Concerning Debtor's Schedules and Statement of Financial Affairs ("Motion") 22 filed with the Court on August 4, 2011, for an order pursuant to 11 U.S.C. 108 of the United 23 States Bankruptcy Code, the Fed. R. Bankr.P. 1007 (5) and LR 1007, allowing for cause shown 24 an extension of time to file Schedules and above-mentioned Declaration Concerning Debtor's 25 Schedules and Statement of Financial Affairs, and the separately-filed Declaration of John 26 White, Esq., in Support of the Motion To Extend Deadline To File Schedules, Declaration 27

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1 Concerning Debtor's Schedules and Statement of Financial Affairs ("John White Declaration") 2 filed herein on August 4, 2011, and it appearing that adequate and sufficient notice of the Motion 3 has been given and that good cause exists, it is hereby: 4 ORDERED, ADJUDGED AND DECREED that: 5 1. The Debtor is given an additional period of up to August 28, 2011 to file the required 6 Schedules, Declaration Concerning Debtor's Schedules and Statement of Financial 7 Affairs. 8 9 Submitted by: Approved/Disapproved/No Objection 10 WHITE LAW CHARTERED M NELSON ENMARK, 11 JOHN WHITE, ESQ. Chapter 12 Trustee 12 Attorneys for the Debtor 13 NICHOLAS STROZZA Esq., Office of the 14 U.S. Trustee 15 IT IS SO ORDERED. ### 16 17 18 19 20 21 22 23 24 25 26 27

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